

### REMARKS

Favorable reconsideration of this application is respectfully requested.

Initially, applicants note the Office Action indicates the Information Disclosure Statement (IDS) filed March 29, 2006 is proper and has been entered. Applicants gratefully acknowledge that indication. However, applicants request the record be made more clear by returning to applicants the filed form PTO-1449 with the references initialed. Applicants submitted the IDS on a form PTO-1449, which at this time has not been returned to applicants with the references initialed confirming their consideration. Applicants respectfully request that confirmation of consideration.

Claims 1-9, 11-20, 23, and 24 are pending in this application. Claims 1, 4, 8, 11-12, 15, 19, and 23-24 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. patent 6,859,832 to Gecht et al. (herein "Gecht") in view of U.S. patent 5,768,483 to Maniwa et al. (herein "Maniwa"). Claims 2-3 and 13-14 were rejected under 35 U.S.C. §103(a) as unpatentable over Gecht, in view of Maniwa, in view of U.S. patent 6,424,429 to Takahashi et al. (herein "Takahashi"), and in view of U.S. patent 6,535,716 to Reichman et al. (herein "Reichman"). Claims 2-3 and 13-14 were rejected under 35 U.S.C. §103(a) as unpatentable over Gecht, in view of Maniwa, in view of U.S. patent publication 2002/0059176 to Fujisawa, and in view of Reichman. Claims 5 and 16 were rejected under 35 U.S.C. §103(a) as unpatentable over Gecht in view of Maniwa. Claims 6-7 and 17-18 were rejected under 35 U.S.C. §103(a) as unpatentable over Gecht, in view of Maniwa, in view of U.S. patent application publication 2001/0056485 to Barrett, Jr. et al. (herein "Barrett"). Claim 9 was rejected under 35 U.S.C. §103(a) as unpatentable over Gecht, in view of Maniwa, in view of U.S. patent application publication 2002/0194307 to Anderson et al. (herein "Anderson").

The above-noted art rejections are traversed by the present response as discussed next.

Each of the independent claims is amended by the present response to clarify features recited therein. Specifically, independent claim 1 now recites that the process performed by the processing means includes:

... to send a test signal to a hardware resource of an image forming apparatus to obtain data indicating a usage state of the image forming apparatus in a local area, the data indicating the usage state including information in response to the test signal from the hardware resource[.]

The other independent claims are amended by the present response to recite similar features. Such claim features are noted in the present specification for example at page 47, line 16 to page 48, line 21. As discussed in that portion in the present specification, with the claimed invention a command may be received by a management mediating device that requests information of a hardware resource. In response to that command a processing unit sends a test signal to the hardware resource, which acts in accordance with the test signal and provides a response including information addressing the test signal from the hardware resource.

The features clarified in the claims are believed to distinguish over the applied art.

With respect to the above-noted feature directed to obtaining data indicating a usage state, the outstanding rejection now cites Maniwa, specifically stating:

Maniwa teaches obtaining data indicating a usage state of an image forming apparatus in a local area and transferring the data to the management system (Maniwa: Figure 9 and Column 3 Line 17-27: Examiner notes each image-forming device (e.g. printer controller) is configured with NIC (Network Interface Card) for communication purpose which is interpreted as the “image-forming-device communication unit” - i.e. the image-forming-device communication unit is configured to interface with the network in the following manners: (a) transmits a device message to the corresponding image-forming device upon receiving the device message from the network (i.e. the management system), and (b) receives the device-state

information from the corresponding image-forming device and forwards to the network (i.e. the management system)).<sup>1</sup>

In response to that grounds for rejection, applicants submit that disclosure in Maniwa does not correspond to the now claimed features. Maniwa merely discloses that, upon completion of a print job, a state notification is transferred to a server machine. Maniwa does not disclose or suggest, in contrast to features now clarified in the claims, providing a test signal to a hardware resource, and in response providing “data indicating a usage state including information in response to the test signal from the hardware resource”.

In contrast to Maniwa, according to the claimed invention, at timings defined by a schedule, a connection is made to a server, and a request is received from the server that can include command information requesting a test of a hardware resource. Such a test signal for example can provide maintenance management information for maintenance management of the hardware resource. In the claimed invention a response from the hardware resource to the test signal is transferred to the server.

Maniwa is not directed to providing such information, but again as noted above the system of Maniwa merely provides a state notification upon completion of a print job. Maniwa does not provide any command that would result in a test signal being provided to a hardware resource including a result of that test signal.

Thereby, the claims as written are believed to distinguish over Maniwa.

Moreover, no disclosures in any of the secondary cited references are believed to cure the deficiencies of Maniwa.

In view of the present response applicants respectfully submit the claims as written distinguish over the applied art.

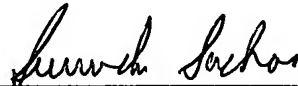
---

<sup>1</sup> Office Action of February 8, 2007, the paragraph bridging pages 3 and 4 (original emphasis).

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



---

James J. Kulbaski  
Attorney of Record  
Registration No. 34,648

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413-2220  
(OSMMN 03/06)

Surinder Sachar  
Registration No. 34,423

JJK:SNS\dt

I:\ATTY\SNS\24's\243085\243085US-AM1.DOC